

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE October 21, 2005	CONTACT/PHONE Holly Phipps 781-1162	APPLICANT Paul Bailey	FILE NO. COAL 05-0047 SUB2004-00376
SUBJECT Request by Paul Bailey for a Lot Line Adjustment to adjust the lot lines between two parcels of 39.26 and 78.51 acres. The adjustment of the lot line will result in an equal exchange of .82 acres. The proposed project is within the Rural Lands land use category and is located in Creston at 9275 Horseshoe Canyon Road, located approximately 8 miles east of San Margarita. The site is located in the Las Pilitas planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL05-0047 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption was issued on August 8, 2005.			
LAND USE CATEGORY Rural Land	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 070-175-004 & 009	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: None			
LAND USE ORDINANCE STANDARDS: L.U.O section 22.22.050 – Subdivision design, rural land category			
EXISTING USES: Residence, Barn, Shed, Carport, Well House, and Tank			
SURROUNDING LAND USE CATEGORIES AND USES: North: Rural Land/scattered dwellings East: Rural Land /scattered dwellings South: Rural Land /scattered dwellings West: Rural Land /scattered dwellings			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: City of Paso Robles, City of Atascadero, San Margarita Advisory Group, Community Liaison (JRC), Templeton Advisory Group, Cal Trans, RWQCB, CSA 7 Oak Shores CSA 16 Shandon, Public Works, Environmental Health, and Ag Commissioner.			
TOPOGRAPHY: Gently rolling to moderately steep slopes		VEGETATION: Grasses and Oak Trees	
PROPOSED SERVICES: Water supply: Existing on-site well Sewage Disposal: Existing Individual septic system Fire Protection: CDF		ACCEPTANCE DATE: June 28, 2005	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
39.26 acres	39.26 acres
78.51 acres	78.51 acres

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to configure the parcels to better residential use. The current configuration has revealed that certain improvements (house, barn, driveway, and septic) lie on or over the existing lot line. An equal area exchange lot line adjustment will correct this problem.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are within the range of minimum parcel sizes as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

The two lots were legally created by Grant Deed at a time when that was a legal method of creating lots.

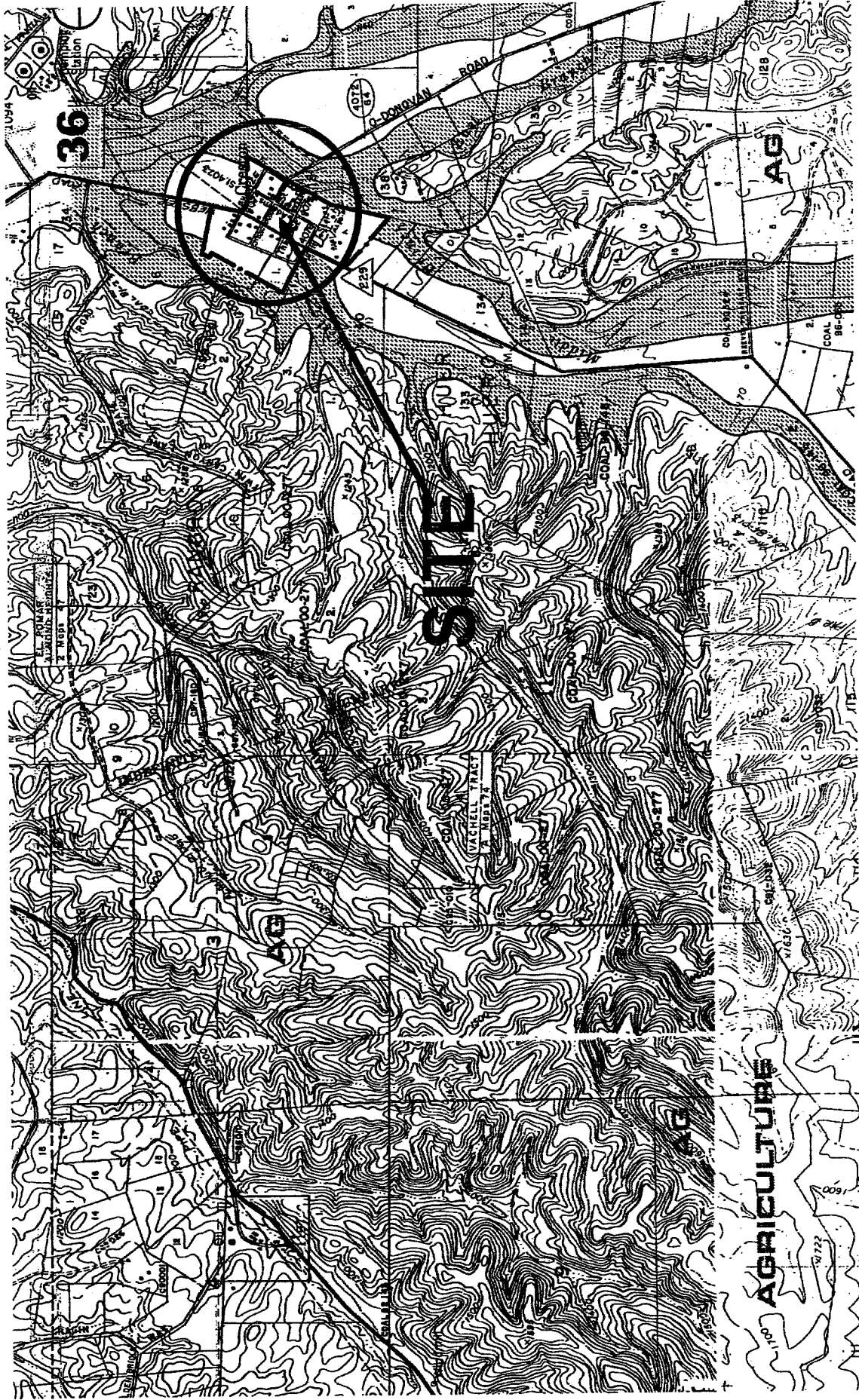
FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the adjustment will result in the reconfiguration of two parcels to configure the parcels to create a better residential use and the resulting parcels maintain a position which is equal to or better to the condition of the parcels prior to the approval of the lot line adjustment.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class V) pursuant to CEQA Guidelines Section 15303 because it is a minor lot line adjustment not resulting in the creation of any new parcels.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action
10. All parcels shall be provided with legal access from a public road. Easements or offers of dedication with a minimum width of 20 feet shall be recorded for all parcels that currently do not have access. These shall be shown on a map (if a map is used to final the adjustment) or recorded with the certificates of compliance.

Staff report prepared by Holly Phipps and reviewed by Supervising Planner Kami Griffin.



PROJECT

Lot Line Adjustment
Bailey SUB2004-00376

EXHIBIT

Land Use Category Map



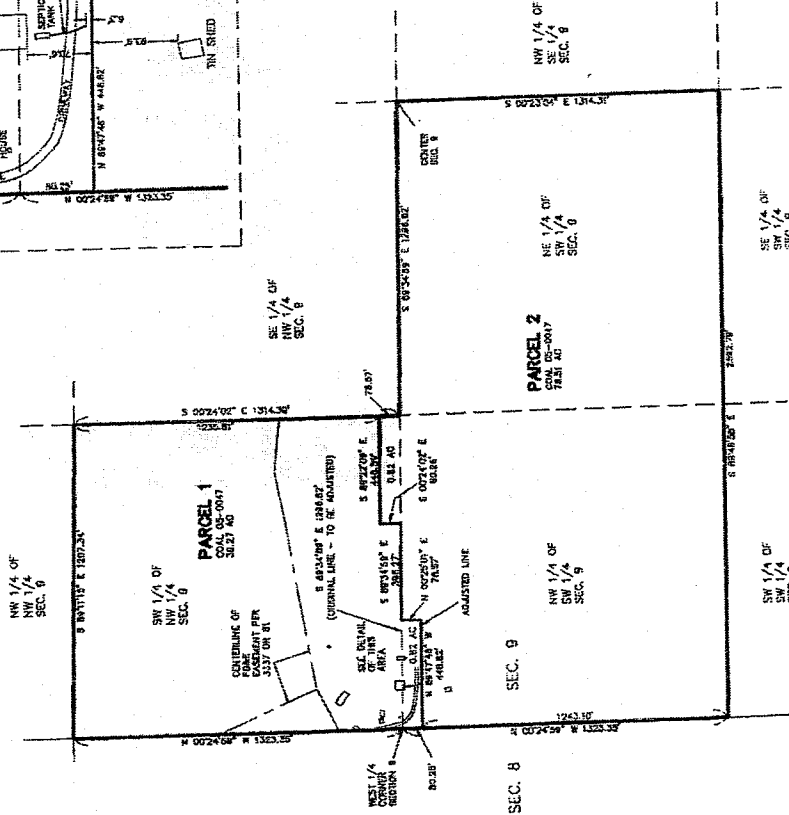
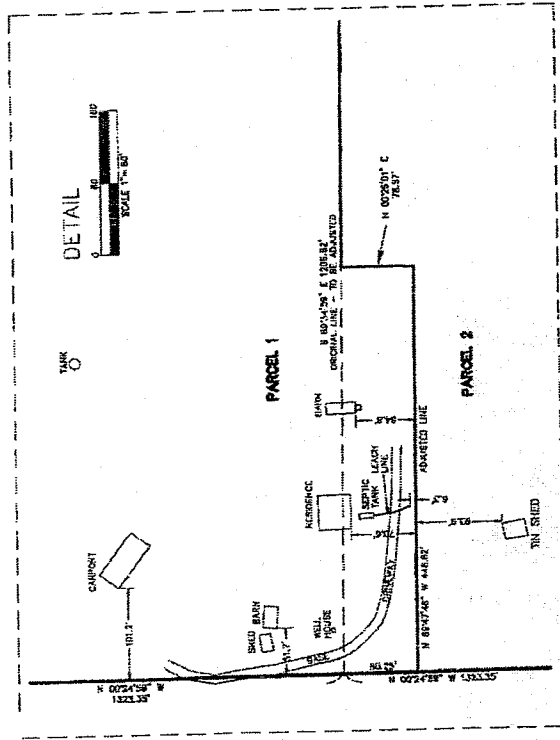
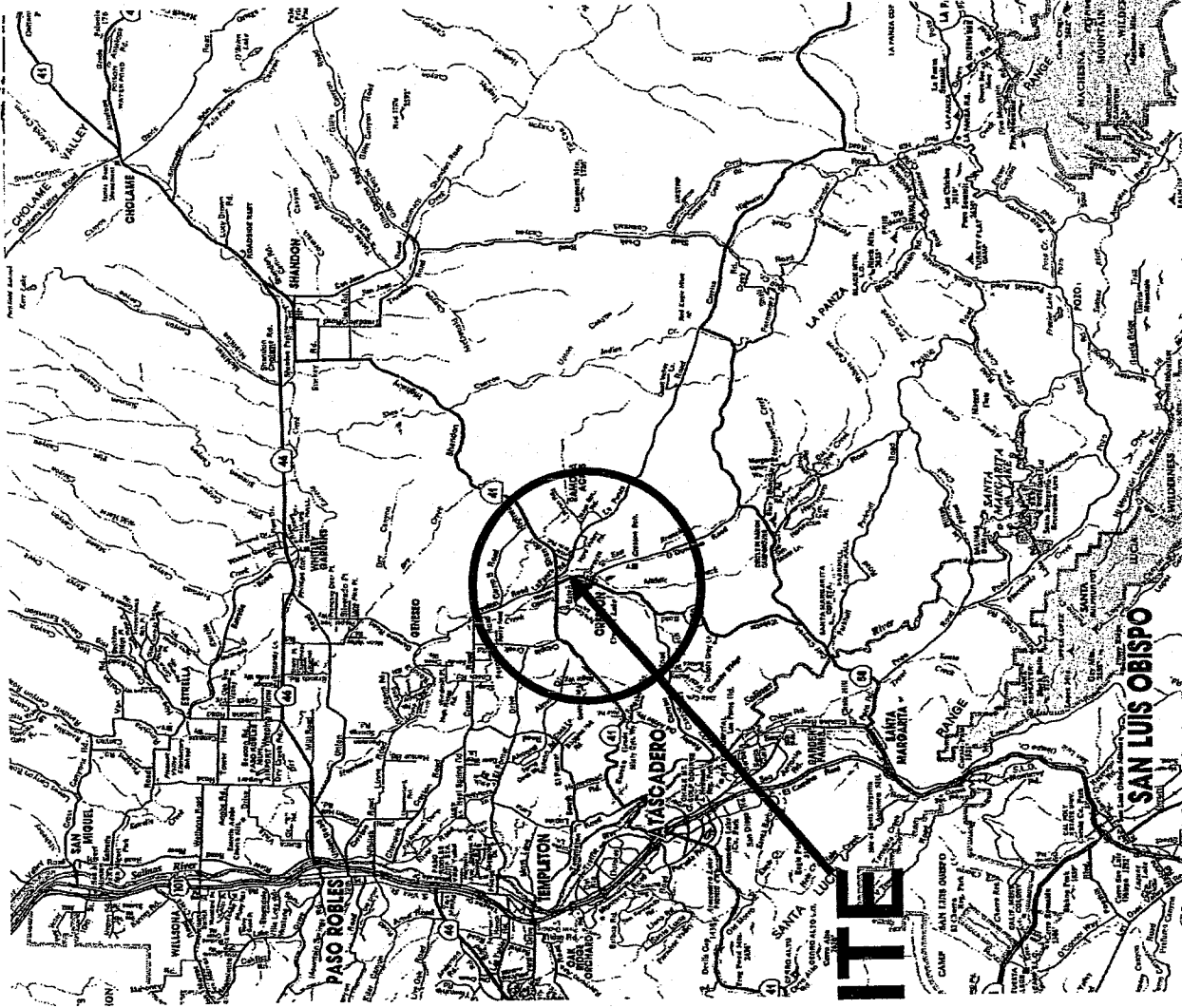


EXHIBIT Site Plan



PROJECT
Lot Line Adjustment
Bailey SUB2004-00376



SITE

EXHIBIT



Vicinity Map

PROJECT

Lot Line Adjustment
Bailey SUB2004-00376



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

JUN - 2 2005

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 5/31/05
FROM PW
FROM North Co. Team
(Please direct response to the above)

Bailey
COAL 05-0047
SUB 2004-00376
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: LLA -> COAL 05-0047. Located
off Horseshoe Canyon Rd. in Creston. 117.77 acre
site. To adjust existing lot line resulting in an
equal exchange of .82 acres. APN - 070-175-004 & 009

Return this letter with your comments attached no later than: 6/16/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES
 NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Recommend Approval - assure access to both properties.
of 4 EASEMENTS ON TITLE REPORT, ONLY ONE IS SHOWN ON MAP.

22 JUNE 2005
Date

GOODWIN
Name

5252
Phone

Wilson Land Surveys, Inc.

7600 Morro Road, Atascadero, CA 93422

Phone: (805) 466-2445 • Fax: (805) 466-0812 • Email: jamesm@wilsonlandsurveys.com

Tuesday, March 01, 2005

COUNTY PLANNING

RE: COAL 05-0047

Reason for proposed lot line adjustment

A land survey has revealed that certain improvements (house, barn, driveway, and septic system) lie on or over the existing lot line. An equal area exchange lot line adjustment will correct this problem.